

Members

Sen. Beverly Gard, Chairperson
Sen. Kent Adams
Sen. Lindel Hume
Sen. Vi Simpson
Rep. James Bottorff
Rep. Ron Herrell
Rep. Steven Heim
Rep. David Wolkins
Lori Kaplan
Dwayne Burke
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Shelley Miller
Ellen Tobias
William Goffinet
Randal D. Edgemon
Julia Wickard
William Hayden
Michael Sutherlin



ENVIRONMENTAL QUALITY SERVICE COUNCIL

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MEETING MINUTES¹

Meeting Date: October 22, 2003
Meeting Time: 1:00 P.M.
Meeting Place: State House, 200 W. Washington St.,
Room 130
Meeting City: Indianapolis, Indiana
Meeting Number: 5

Members Present: Sen. Beverly Gard, Chairperson; Sen. Kent Adams; Sen. Lindel Hume; Sen. Vi Simpson; Rep. James Bottorff; Rep. Ron Herrell; Rep. Steven Heim; Lori Kaplan; Dwayne Burke; John Ulmer; Shelley Miller; Randal D. Edgemon; Julia Wickard; William Hayden.

Members Absent: Rep. David Wolkins; Ellen Tobias; William Goffinet; Michael Sutherlin.

1. Call to order

Senator Gard called the meeting to order at 1:05 p.m.

2. Waste tires

Bruce Palin, IDEM, presented a report (Handout #1) on waste tires. He updated the Council on the recent fire at the CR3 waste tire processing plant in Muncie and expressed concerns with storage of tires at processing facilities. He related current funding issues with respect to the waste tire management fund, and described waste tire cleanup efforts. Funding has been adequate to address cleanup of major waste tire sites, and smaller sites are being addressed as priorities are set and funding becomes available. For undetermined reasons, funding has been uneven over several recent years. He discussed with the Council current uses of waste tire products and ideas for

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

the development of markets. Waste tire products under examination include tire derived fuel, and tire chips as septic leach field components and fill base in road embankments. Waste tire pieces are currently used for landfill daily cover.

Senator Gard expressed interest in clarifying the statute that governs distributions from the waste tire management fund and in requiring financial assurance from the applicant before issuance of a permit for waste tire processing.

Joe Brister, Michelin North America, presented a report (Handout #2) on end of life tire management programs. He described programs supported by Michelin and the Rubber Manufacturers Association that promote the elimination of stored scrap tires, the effective management of annually generated scrap tires, and the development of markets for scrap tire products. Ground waste tires are currently used in some states as a component of asphalt. He believes that markets for waste tire products exist in Indiana, but have not been adequately developed. Illinois and Michigan have effective scrap tire programs.

David Lamm, Blue River Environmental, presented a report (Handout #3) urging the use of tire chips in lieu of aggregate in the construction of on-site sewage disposal systems. Research shows that tire chips form a better biological mat than aggregate. Mr. Lamm distributed a Waste Tire Management Report (Handout #4) from South Carolina, where use of tire chips in on-site sewage disposal systems is mandated.

2. Solid Waste Management Board (SWMB) Rulemaking

Mayor William Graham of Scottsburg, Acting Chairman of the SWMB, discussed the SWMB's rulemaking procedures. In his twelve years as a SWMB member he has not perceived any undue influence by IDEM on the proceedings of the SWMB. Because the subjects on which the SWMB adopts rules usually do not affect him directly, he believes he can maintain independence from the views of IDEM or another party that participates in the rulemaking process. In recent months, IDEM has taken a less active role in organizing the meetings of the SWMB.

3. Brownfields

Kay Nelson, Northwest Indiana Forum, presented a report on brownfield properties in northwest Indiana. There are numerous brownfield sites in northwest Indiana comprising approximately two thousand acres. Ms. Nelson showed slides of some of the sites (Handout #5). The sites are owned by numerous entities and are subject to various state and federal environmental cleanup actions. Redevelopment partnerships are being formed to accomplish cleanup and restore the sites to useful purposes. Ms. Nelson also provided a Summary of Closure Requirements for Different IDEM Programs (Handout #6).

Maureen Swed, Shirley Heinze Land Trust, presented a report (Handout #7) on the activities of the trust in partnership with the City of Gary and various private and governmental entities to restore dune and swale habitat on a site near the intersection of Cline Avenue and 5th Avenue.

Samuel Senn, Bascor, presented a report (Handout #8) on a three hundred twenty-five

acre brownfield site restored through the efforts of a partnership of various private and governmental entities. He discussed the community benefits of the restored brownfield, which include a golf course, youth golf academy, walking trails, fishing, bird watching, and wetlands. The Council discussed with Mr. Senn, Ms. Nelson, Commissioner Kaplan, and Tom Baker, IDEM, comparative cleanup requirements, procedures, and closure testing, documentation, and other requirements with respect to the federal Resource Conservation and Recovery Act and the state Voluntary Remediation Program. Of concern is the need to achieve consistency between the federal and state programs so that comparable cleanup activities under the two will lead to equivalent closure requirements and documentation.

Gabrielle Hauer, IDEM, presented a report (Handout #9) on brownfields and IDEM's brownfield program. She addressed financial assistance for brownfield activities, technical assistance, community assistance, outreach, and education, other IDEM programs that interface with the brownfields program, closure documentation, and statistics on brownfield activities. IDEM, the Indiana Department of Commerce, and the Indiana Finance Development Authority (IDFA) have responsibilities relating to brownfields. An Indiana Interagency Brownfields Task Force (Handout #10) and an Indiana Brownfields Advisory Team have been created.

Calvin Kelly, IDFA, presented a report (Handout #11) on IDFA's brownfield activities. He provided statistics on historical and future IDFA funding for brownfields investigation and remediation. IDFA has undertaken legislative initiatives concerning brownfields, including redefinition of the term and amending of the voluntary remediation tax credit.

4. Other business

Senator Gard directed the distribution to Council members of:

1. a Recycling Evaluation Committee Overview (Handout #12) for consideration at the next EQSC meeting;
2. the IDEM Commissioner's Report to the EQSC (Handout #13); and
3. An Analysis of State Water Discharge Fees and their Relevance to Michigan Businesses (Handout #14).

Senator Gard urged members to forward suggestions for EQSC final recommendations to her or Bob Bond, and to attend the final meeting at 10:00 a.m. on October 29, 2003, in Conference Room B, Indiana Government Center South, so that a quorum will be available to act on the final report.

5. Adjournment The meeting was adjourned at 4:00 p.m.